

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JEFF HERBERT,

Plaintiff,

v.

KC ROBOTICS, INC.,

Defendant.

Case No. 1:23-cv-633

Judge Jeffery P. Hopkins

Chief Magistrate Judge Karen L.
Litkovitz

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the Report and Recommendation (the “R&R”) issued by Chief Magistrate Judge Karen L. Litkovitz on August 21, 2024 (Doc. 21), which recommends that: (1) Defendant KC Robotics, Inc.’s (“KCR”) Motion to Dismiss (Doc. 11) be **GRANTED** in part and **DENIED** in part;¹ and (2) that Defendant KCR’s Motion to Strike (Doc. 17) be **DENIED** as **MOOT**. Any objections to the R&R by the parties were due by September 4, 2024.

About a month has passed since the R&R was issued and no objections have been filed. Because no objections have been filed and the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, the Court reviews the R&R for clear error. *See* Fed. R. Civ. P. 72(b) advisory committee notes (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the

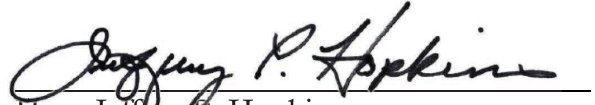
¹ The R&R specifically **GRANTS** the Motion to Dismiss as it relates to Counts IX–XII, and XVI, and **DENIES** the Motion to Dismiss as it relates to Counts I–VIII, and XIII–XV.

recommendation.”); *Redmon v. Noel*, No. 1:21-CV-445, 2021 WL 4771259, at *1 (S.D. Ohio Oct. 13, 2021) (collecting cases).

The Court has reviewed the R&R (Doc. 21) and determined that it does not contain clear error. Therefore, the Court **ADOPTS** the R&R in its entirety.

IT IS SO ORDERED.

Dated: September 24, 2024


Hon. Jeffery P. Hopkins
United States District Judge